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PATENT  
PD-200219  
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IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicants: Anthony HEATWOLE et al.  
Appl'n. No.: 09/783,849 Group: 2661  
Filed: February 15, 2001 Examiner: Unassigned  
For: "Apportioning Bandwidth Capacity In Communication Switching Systems"

INFORMATION DISCLOSURE STATEMENT

RECEIVED

(SUBMISSION AFTER FILING OF AN APPLICATION AUG 18 2004  
BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE  
OR CONCURRENTLY WITH A RULE 53(d) CPA APPLICATION) Technology Center 2600

Commissioner for Patents  
Alexandria, VA 22313

August 11, 2004

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

II. COPIES (check at least one box)

- a. X Submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b.    Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE  
(check at least one box)

- a.    **DOCUMENTS NOT IN THE ENGLISH LANGUAGE**  
A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows
- b. X **DOCUMENTS IN THE ENGLISH LANGUAGE**  
All of the patents, publications or other information are in the English language. No statement of relevancy is required.
- c.    **ENGLISH LANGUAGE SEARCH REPORT**  
An English language version of the search report or action which indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(A)(3).
- d.    **OTHER**  
The following additional information is provided for the Examiner's consideration.

IV. FEES

X THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b):  
(check one box)

- a.    within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required.
- b.    within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.
- c. X before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account in the amount of \$240.00 as required by 37 C.F.R. § 1.17(p).

V.    THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):  
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before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

- a.    No statement; therefore, a fee in the amount of \$240.00 as required by 37 C.F.R. § 1.17(p).
- or
- b.    See the statement below. No fee is required.

VI. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby states that

- a. ☐ each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.
- c. ☐ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

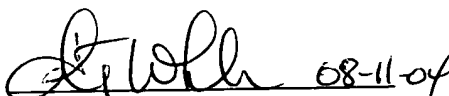
VII. PAYMENT OF FEES (check one box)

- ☐ A check in the amount of \$240.00 as required by 37 C.F.R. § 1.17(p) is enclosed for the above-identified fee.
- ☐ Please charge Deposit Account No. 50-0383 in the amount required by 37 C.F.R. § 1.17(p) for the above-indicated fee. A triplicate copy of this paper is attached.
- ☒ No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 50-0383

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-0383 for any additional fees required under 37 CFR §1.16 or under §1.17; particularly, extension of time fees.

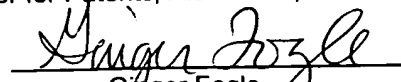
Respectfully submitted,

By:  08-11-04  
John T. Whelan  
Reg. No. 32,448

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Enclosures:	<u>X</u>	PTO-1449
	<u>X</u>	References
	<u>X</u>	International Search Report
	—	Fee
	—	Other:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313 on August 11, 2004.

  
Ginger Fogle

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)  
(Use several sheets if necessary)DATE SUBMITTED TO PTO: August 11, 2004ATTY DOCKET NO.  
PD- 200219APPLICATION NO.  
09/783,849

APPLICANTS

Anthony HEATWOLE, et al

FILING DATE  
2-15-01GROUP  
2661

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,274,644		Berger et al.			
		4,763,325		Wolfe et al.			
		5,392,280		Zheng			

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AUG 18 2004

Technology Center 2600

EXAMINER

DATE CONSIDERED

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NAME	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO OR ABSTRACT
		WO 97/35410	25-09-97	PCT			

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to Applicant.